

02-O-1235

**A SUBSTITUTE ORDINANCE BY COMMITTEE ON COUNCIL**

**AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH FULTON COUNTY TO CONDUCT A SPECIAL ELECTION FOR THE CITY OF ATLANTA TO BE HELD ON AUGUST 20, 2002 TO APPROVE OR NOT APPROVE A HOMESTEAD EXEMPTION FROM CERTAIN CITY OF ATLANTA AD VALOREM TAXES FOR MUNICIPAL PURPOSES IN AN AMOUNT EQUAL TO THE AMOUNT BY WHICH THE CURRENT YEAR ASSESSED VALUE OF A HOMESTEAD EXCEEDS THE BASE YEAR ASSESSED VALUE OF SUCH HOMESTEAD FOR CERTAIN RESIDENTS WHO ARE 65 YEARS OF AGE OR OLDER AND WHOSE ANNUAL HOUSEHOLD INCOME DOES NOT EXCEED \$39,000.00, AND FOR OTHER PURPOSES.**

**WHEREAS**, in accordance with Section 21-2-45 (c)(2) of the State of Georgia Elections Code, the City of Atlanta may authorize Fulton County by ordinance to conduct elections and to perform any and all functions, as outlined in said code section and as required by such an election; and

**WHEREAS**, the City of Atlanta wishes to enter into a contract with Fulton County to conduct a Special Election for the City of Atlanta; and

**WHEREAS**, the City will pay for all expenses associated with said election; and

**WHEREAS**, the governing authority of the City in accordance with Section 21-2-70.1(b) of the State of Georgia Elections Code shall appoint a municipal election superintendent in a public meeting and the appointment shall be recorded in the minutes of said meeting.

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:**

**SECTION 1:** That a special election to approve or not approve a homestead exemption for residents of the City who are 65 years of age or older whose income does not exceed \$39,000, shall be called to be held in the City of Atlanta in conjunction with the state-wide General Primary Election on August 20, 2002, by authority of Ordinance 02-O-1140.

**SECTION 2:** That the Mayor be and is hereby authorized to execute an appropriate contractual agreement with Fulton County to conduct said Special Election in conjunction with the state-wide General Primary Election to be held on August 20, 2002.

**SECTION 3:** That the governing authority of the City, the Atlanta City Council, in accordance with Section 21-2-70.1(b) of the State of Georgia Elections Code does hereby appoint the Fulton County Board of Registration and Elections with the Fulton County Department of Registration and Elections acting as its agent as the Municipal Election Superintendent for the 2002 City of Atlanta Special Municipal Election to be held in conjunction with the state-wide General Primary Election on August 20, 2002, and that said appointment shall be recorded in the minutes of the Council's meeting., whereby this ordinance is adopted.

**SECTION 4:** That Fulton County has submitted a projected cost to conduct the Special Referendum Election for the City of Atlanta, in conjunction with the General Primary Election, as shown in the form attached hereto identified as Exhibit A.

**SECTION 5:** That the City shall pay to Fulton County in an amount not to exceed \$1,000.00 to be paid and charged from Account Center Number 1A01 561001 T31001.

**SECTION 6:** That the City Attorney be and is hereby directed to prepare an appropriate contract with Fulton County for execution by the Mayor, in substantially the form attached hereto identified as Exhibit B, and to be approved by the City Attorney as to final form.

**SECTION 7:** That the contract with Fulton County shall not become binding on the City and the City shall incur no liability upon same until such contract has been signed by the Mayor and delivered to the contracting party.

**SECTION 8:** That should any part of this ordinance be declared unconstitutional or unenforceable in a court of law, that is it shall be severed from this ordinance and all such parts not declared unconstitutional or unenforceable shall remain in full force and effect.

**SECTION 9:** That all ordinances and parts of ordinances in conflict herewith be and are here by repealed.

A true copy,

Deputy Clerk

ADOPTED by the Council  
APPROVED by the Mayor

JULY 15, 2002  
JULY 22, 2002

KRP/OMC 7/12/02


  
FULTON COUNTY

**FULTON COUNTY  
DEPARTMENT OF REGISTRATION AND ELECTIONS  
ELECTIONS OFFICE**

141 PRYOR STREET, S.W., SUITE 4075  
ATLANTA, GA 30303-3460  
404-730-7020

July 2, 2002

Ms. Rhonda Johnson  
City Clerk  
City of Atlanta  
55 Trinity Avenue  
Atlanta, Georgia 30335

Dear Ms. Johnson:

In reply to your request for the Projected Cost for Fulton County to conduct a Special Referendum Election for the City of Atlanta, in conjunction with the General Primary Election on August 20, 2002, please see the chart below of the Projected Cost to conduct this Special Election. This cost also includes an estimated amount of \$300.00 for charges from Dekalb County.

QTY.	DESCRIPTION	TOTAL
8,650	Cost of Printing AB pages @ 0.2 cents per page (8,650x.02)	\$173.00
1,384	Cost of Crimp Hinges (1,384 x .04cents)	55.36
1,384	Cost of Index Paper (1,384/8 = 173 x .30cents)	51.90
1,384	Printing Pages for Vote Recorders (1,384 x .02cents)	27.68
	SUBTOTAL	\$307.94
	10% Administrative Fee	30.79
	Estimated cost for Dekalb County	\$300.00
	PROJECTED TOTAL	\$638.73

If we may be of further assistance, please do not hesitate to call me at (404) 730-7044.

Sincerely,  
  
 Charles E. Liverpool  
 Administrative Coordinator III  
 Registration Division

/cel  
 Enclosures  
 fn:c:\mydocuments\atlaspcl.ref.elc1a

**RECEIVED**

JUL 12 5 2002

**MUNICIPAL CLERK**



GEORGIA

Exhibit B

**FULTON COUNTY:**

THIS AGREEMENT entered into between the **City of Atlanta**, a municipal corporation lying wholly or partially within the County of Fulton, Georgia, hereinafter referred to as "City," and **FULTON COUNTY**, a political subdivision of the State of Georgia hereinafter referred to as "County."

WITNESSETH:

WHEREAS, City in the performance of its governmental functions will hold the election hereinafter described; and,

WHEREAS, under the provisions of the Georgia Election Code, particularly Section 21-2-45(c) of the Official Code of Georgia, Annotated, City may by ordinance authorize County to conduct such election and City has heretofore adopted such an ordinance:

NOW, THEREFORE, in consideration of the premises it is hereby agreed as follows:

1.

This Agreement shall govern the conduct of the following election hereinafter referred to as "election," **City of Atlanta Special Election** to be held on **August 20, 2002**.

2.

The Fulton County Board of Registration and Elections shall operate as the "Superintendent" of the aforementioned election and shall perform any and all functions of the City or any of its officials in connection with the conduct of such election, except as hereinafter provided.

3.

The cost of such election shall be any cost over and above the cost of conducting the General Primary and Nonpartisan Elections within the City of Atlanta. City shall remit said funds in an amount not to exceed \$1,000.00 to County within 30 days of receipt of the statement of charges for this election.

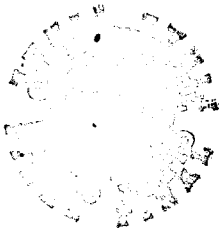


4.

All legal services and defenses of litigation required by any Board or person arising from the Election under this Agreement shall be furnished by the City Attorney. Should the City Attorney for any reason fail to provide the legal services referred to in this paragraph, the Superintendent shall have authority to engage the Fulton County Legal Department at the reasonable expense of the City , which shall not exceed the cost to the County; provided, however, that all requests for legal assistance by the County from the City Attorney to provide such service shall be communicated in writing before the City will be obligated to pay for legal services under this paragraph; provided, further, that the failure of the City Attorney's office to respond to a request made hereunder, within a reasonable time, shall be deemed to be a refusal to furnish such services. County shall notify City in writing of its determination that the City has failed to respond as contemplated herein above before incurring legal fees on its own behalf for which the City shall be responsible.

5.

No term of this contract shall limit the obligations of the Superintendent to take any steps required by Georgia Election Code and the Rules of the State Election Board and the Charter and Code of Ordinances of the City of Atlanta.



6.

Should it be necessary to comply with legal requirements that any of the County's personnel shall be sworn in as a temporary officer or employee of the City, such formality shall be observed without limitation.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands and affixed their seals pursuant to resolutions or ordinances of their governing bodies duly adopted and entered on the Minutes thereof.

**CITY OF ATLANTA**

(Seal)

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

\_\_\_\_\_  
Municipal Clerk

**APPROVED AS TO FORM:**

**APPROVED**

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Officer

\_\_\_\_\_  
Chief Financial

**FULTON COUNTY**

(Seal)

\_\_\_\_\_  
Chairman, Board of Commissioners

Attest: \_\_\_\_\_

\_\_\_\_\_  
Clerk to Commission

**APPROVED AS TO FORM:**

**APPROVED AS TO SUBSTANCE:**

(Seal)

\_\_\_\_\_  
County Attorney  
Board of Registration and Elections

\_\_\_\_\_  
Chairperson or Designee, Fulton County

REVISED – July 12, 2002 4:25 p.m. KRP/OMC

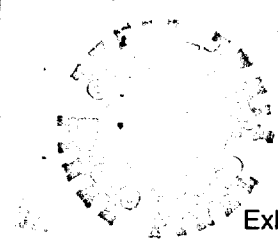


Exhibit A

RCS# 3880  
7/15/02  
3:40 PM

Atlanta City Council

Regular Session

02-O-1235

Enter Contract with Fulton County to  
Conduct Aug. 20th Special Ref. Election  
ADOPT ON SUB

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

02-O-1235



02-0-1235

(Do Not Write Above This Line)

AN ORDINANCE BY COMMITTEE ON COUNCIL

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH FULTON COUNTY TO CONDUCT A SPECIAL ELECTION FOR THE CITY OF ATLANTA TO BE HELD ON AUGUST 20, 2002 TO APPROVE OR NOT APPROVE A HOMESTEAD EXEMPTION FROM CERTAIN CITY OF ATLANTA AD VALOREM TAXES FOR MUNICIPAL PURPOSES IN AN AMOUNT EQUAL TO THE AMOUNT BY WHICH THE CURRENT YEAR ASSESSED VALUE OF A HOMESTEAD EXCEEDS THE BASE YEAR ASSESSED VALUE OF SUCH HOMESTEAD FOR CERTAIN RESIDENTS WHO ARE 65 YEARS OF AGE OR OLDER AND WHOSE ANNUAL HOUSEHOLD INCOME DOES NOT EXCEED \$39,000.00, AND FOR OTHER PURPOSES.

- ☒ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred 7/1/02

Referred To: Committee on Council

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date Chair Referred To

Committee C C C

Date 7/1/02

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

- ☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

JUL 15 2002

ATLANTA CITY COUNCIL PRESIDENT

Attee, Va. Harland

JUL 15 2002

Attee, Va. Harland

MAYOR'S ACTION

APPROVED

JUL 22 2002

MAYOR